

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

* * * * *

Piper Jaffray & Co., *

Plaintiff, *

v. *

Case No. 10-cv-4978 (NRB)

Michael J. Principe, Blue Equity LLC, *

**BEST, and Blackwave Sports Investment
Company, LLC,** *

Defendants. *

* * * * *

STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and pursuant to a Settlement Agreement executed by Plaintiff Piper Jaffray & Co. ("Plaintiff") and Defendants Michael J. Principe, Blue Equity LLC, and Blackwave Sports Investment Company, LLC, all of whom appeared in this action, Plaintiff hereby voluntarily dismisses its Complaint against Defendants Michael J. Principe, Blue Equity LLC, BEST (which did not appear in this action), and Blackwave Sports Investment Company, LLC, with prejudice, with each party to bear its own costs, expert fees, and attorney fees.

Dated: December 23, 2010

/s/ John D. Cox

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